

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS

STEPHEN NOVIELLO
Plaintiff,

V.

UNITED DEBT SETTLEMENT D/B/A
UNITED SETTLEMENT, GABRIEL
GORLIK, AND MARCEL BLUVSTEIN
Defendant

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CIVIL ACTION NO. 3:21-cv-1874

**DEFENDANTS UNITED DEBT SETTLEMENT D/B/A UNITED SETTLEMENT,
GABRIEL GORLIK, AND MARCEL BLUVSTEIN'S NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF SAID COURT:

Pursuant to 28 U.S.C. §1331, 1441, and 1446 Defendants, United Debt Settlement d/b/a United Settlement, Gabriel Gorlik, and Marcel Bluvstein, by their undersigned attorney, file this Notice of Removal, respectfully showing:

1. On June 10, 2021, Cause No. JS21-00415 was commenced against Defendants in the Justice of the Peace Court, Precinct 3, Place 1 of Dallas County, Texas, and is now pending therein.
2. Defendants learned of the existence of the lawsuit on July 13, 2021. To date, service has not been completed upon Defendants.
3. As of the date of this filing, the only pleadings that have been filed in the State Court action include: (a) Plaintiff's Original Petition and (b) Defendants' Original Answer. Copies of all process and pleadings served upon Defendants in the above-entitled action are attached hereto as Exhibits A and B are filed herewith.
4. Pursuant to 28 U.S.C. §1331, "the district courts shall have original jurisdiction of all

civil actions arising under the Constitution, laws, or treatises of the United States.”

5. This civil action seeks relief under 47 U.S.C. § 227 et seq., commonly known as the Telephone Consumer Protection Act. Plaintiff specifically alleges that Defendants are in violation of §227(b) and §22(c) of the TCPA, thereby unequivocally asserting a federal question.
6. Because Plaintiff's claims invoke a federal question, this Court has original jurisdiction of the above-entitled action pursuant to 28 U.S.C. §1331. The action must therefore be removed to this Court pursuant to 28 U.S.C. §1441(b).
7. All Defendants to this action join in this Notice of Removal. In doing so, each Defendant reserves all rights to assert independent interests as to any issue or matter, including defenses and objections as to venue, personal jurisdiction, and service. The filing of this Notice of Removal is subject to, and without waiver of, any such defenses and objections.
8. This notice is filed with this Court within 30 days after service on Defendants of Plaintiff's Original Petition in the above-entitled action.

WHEREFORE, Defendants United Debt Settlement d/b/a United Settlement, Gabriel Gorlik, and Marcel Bluvstein respectfully remove this action from the Justice of the Peace Court, Precinct 3, Place 1 of Dallas County, Texas to the United States District Court for the Northern District of Texas, Dallas Division, pursuant to 28 U.S.C. §1331, 1441, and 1446.

Respectfully submitted,

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By: _____

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**ATTORNEY FOR DEFENDANTS UNITED
DEBT SETTLEMENT, GABRIEL
GORELIK AND MARCEL BLUVSTEIN**

CERTIFICATE OF SERVICE

I certify that on August 11, 2021, a copy of the above and foregoing was served upon all parties in accordance with the Federal Rules of Civil Procedure in compliance with Texas Rules of Civil Procedure 21 and 21a.



Misty A. Hataway-Coné